

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DEANDRE D. WALTON,

Plaintiff,

v.

ADAM FIELD,

Defendant.

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No. 4:24-CV-1557-JSD

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff DeAndre D. Walton’s Application to Proceed in District Court Without Prepaying Fees or Costs. ECF No. 4. When Plaintiff filed this action, he neither paid the required filing fee, *see* 28 U.S.C. § 1914, nor sought to proceed without prepayment of fees, *see id.* § 1915(a)(1). *See also Ashley v. Dilworth*, 147 F.3d 715, 716 (8th Cir. 1998) (per curiam) (explaining that prisoner-litigants must “pay filing fees in full, with the only issue being whether the inmate pays the entire filing fee at the initiation of the proceeding or in installments over a period of time”). On November 25, 2024, the Court ordered Plaintiff to do one or the other. ECF No. 3. The Court explicitly instructed Plaintiff that if he chooses to seek *in forma pauperis* status, he “must submit a certified copy of his prison account statement for the six-month period immediately preceding the filing of the complaint.” *Id.* In response, Plaintiff filed the instant Application, but he did not file a certified copy of his prison account statement. Rather, he submitted a half page “account summary” showing his current account and debt balance without the required six months of transactional history.

Plaintiff did not submit a certified copy of his Eastern Reception Diagnostic and Correctional Center “trust fund account statement (or institutional equivalent)” for the *six-month period immediately*

preceding the filing of his complaint, which is required when seeking *in forma pauperis* status. *See* 28 U.S.C. § 1915(a)(2) (requiring that prisoner-litigants file a certified copy of the account statement); *see also* 28 U.S.C. § 1915(h) (defining a “prisoner” as including a person detained in any facility who is accused of violations of criminal law). A “certified copy” is one that has been certified by an authorized prison officer that is a true and correct copy. As a result, the Court will order plaintiff to submit, within thirty days, a certified copy of his inmate account statement for the six-month period immediately preceding the filing of this action.

Accordingly,

IT IS HEREBY ORDERED that, within thirty (30) days after the date of this Order, plaintiff shall submit a certified copy of his inmate “trust fund account statement (or institutional equivalent)” for the six-month period immediately preceding the filing of this action, or pay the required \$405 filing fee in full. The failure to do so may result in the denial of his Application to Proceed in District Court Without Prepaying Fees or Costs.

Dated this 10th day of December, 2024.

A handwritten signature in black ink, appearing to read 'Joseph S. Dueker', is written over a horizontal line.

JOSEPH S. DUEKER
UNITED STATES MAGISTRATE JUDGE